

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : (To Be Assigned) Confirmation No. : (TBA)
First Named Inventor : Walter EBERLE
Filed : April 21, 2006
TC/A.U. : (To Be Assigned)
Examiner : (To Be Assigned)
Docket No. : 095309.57590US
Customer No. : 23911
Title : Belt Tensioning Unit

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

III. Statement under 37 C.F.R. § 1.704(d)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

IV. Submission of Non-English Language Documents

☒ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☒ The relevance of document(s) AV-AX and AZ-BA to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☒ Corresponding foreign or international report(s) citing document(s) AM-AU, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.

☒ English language family member publication(s) of document(s) AQ, AS, AU, AX, and AZ is/are noted on Form PTO-1449.

☒ English language abstract(s) is/are submitted for document(s) AM-AQ and AS-BA.

☐ English translation(s) of the foreign language document(s) _____ is/are submitted herewith.

☐ Applicant submits the following explanations:

V. Continuations/Divisionals

☐ Documents _____ were of record in parent application Serial No. _____, filed _____, from which this application claims benefit. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 095309.57590US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

April 21, 2006



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Substitute for form 1449/APTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p>			Complete if Known		
			Application Number	(To Be Assigned) PCT/EP2004/011862	
			Filing Date	April 21, 2006	
			First Named Inventor	Walter EBERLE	
			Art Unit	(To Be Assigned)	
			Examiner Name	(To Be Assigned)	
Sheet	1	of	2	Attorney Docket Number	095309.57590US

U.S. PATENT DOCUMENTS						
Examiner Initials'	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
	AA	US- 2003/0116956	A1	06/26/2003	BULLINGER, ET AL.	
	AB	US- 2001/0004997	A1	06/28/2001	YANO, ET AL.	
	AC	US- 6,427,935	B1	08/06/2002	FUJII, ET AL.	
	AD	US- 6,076,757	A	06/20/2000	HOLZAPFEL	
	AE	US- 4,856,727		08/15/1989	SCHMIDT, ET AL.	
	AF	US- 2001/0054816	A1	12/27/2001	BRAMBILLA, ET AL.	
	AG	US- 6,848,614	B2	02/01/2005	HATANAKA, ET AL.	
	AH	US- 2004/021029	A1	02/05/2004	EBERLE, ET AL.	
	AI	US- 2004/255674	A1	12/23/2004	STEIGER, ET AL.	
	AJ	US- 6,758,495	B2	07/06/2004	BRAMBILLA, ET AL.	
	AK	US- 6,371,397	B1	04/16/2002	SPECHT	
	AL	US- 6,343,759	B1	02/2002	SPECHT	

FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ —Number ⁴ —Kind Code ⁵ (if known)				
	AM	DE 102 04 477 A1	08/21/2003	DAIMLERCHRYSLER AG		ABS
	AN	DE 102 04 475 A1	08/21/2003	DAIMLERCHRYSLER AG		ABS
	AO	EP 0 893 313 A2	01/27/1999	BREED AUTOMOTIVE TECHNOLGY, INC.		ABS
	AP	DE 102 04 476 A1	08/21/2003	DAIMLER CHRYSLER AG		ABS
	AQ	DE 100 01 840 A1	07/20/2000	TAKATA CORP.	Corresponds to AC Above	ABS
	AR	GB 2 326 623 A	12/30/1998	ALLIED SIGNAL LIMITED		
	AS	DE 298 05 894 U1	07/30/1998	TRW OCCUPANT RESTRAINT, SYSTEMS GMBH & CO., KG	Corresponds to AD above	ABS
	AT	DE 195 20 721 A1	12/19/1996	PARS PASSIVE RUECKHAL- TESTSYSTEME GMBH		ABS
	AU	WO 03/099616 A1	12/04/2003	ROBERT BOSCH GMBH	Corresponds to AM above	ABS
	AV	DE 41 12 620 A1	05/21/1992	MERCEDES BENZ AKTIENGESELLSCHAFT		ABS
	AW	DE 195 01 076 A1	07/18/1996	TRW REPA GMBH		ABS
	AX	DE 100 05 010 A1	08/23/2001	DAIMLER CHRYSLER AG	Corresponds to AF and AN	ABS
	AY	DE 100 13 869 A1	10/04/2001	BREED AUTOMOTIVE TECHNOLOGY, INC.	Corresponds to AK Above	ABS
	AZ	DE 39 38 081 A1	05/23/1991	BAYERISCHE MOTOREN WERKE AG		ABS

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	BA	DE 100 13 870 A1	10/04/2001	BREED AUTOMOTIVE TECHNOLOGY	Corresponds to AL Above	ABS
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08b (03-05)

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	(To Be Assigned) PCT/EP2004/011862	
			Filing Date	April 19, 2006	
			First Named Inventor	Walter EBERLE	
			Art Unit	(To Be Assigned)	
Examiner Name	(To Be Assigned)				
Sheet	2	of	2	Attorney Docket Number	095309.57590US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AU	INTERNATIONAL SEARCH REPORT dated February 17, 2005 including English Translation of relevant portion (Ten (10) pages)	
	AV	GERMAN OFFICE ACTION dated October 9, 2004 (Three (3) pages)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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